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09/772,883	01/31/2001	Seiji Fujiwara	33216M067	2064

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EXAMINER

SHINGLETON, MICHAEL B

ART UNIT	PAPER NUMBER
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2817

DATE MAILED: 11/06/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09-772,883

Applicant(s)

Fujiwara et al

Examiner

SHINGLETON

Group Art Unit

2817

—The MAILING DATE of this communication appears on the cover sheet beneath the correspondence address—

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE Three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, such period shall, by default, expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

Responsive to communication(s) filed on 8-13-2002

This action is FINAL.

Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11; 453 O.G. 213.

## Disposition of Claims

Claim(s) 1-11 are pending in the application.

Of the above claim(s) 4, 5, 8 are withdrawn from consideration.

Claim(s) \_\_\_\_\_ is/are allowed.

Claim(s) 1, 2, 3, 6, 7, 9-11 are rejected.

Claim(s) \_\_\_\_\_ is/are objected to.

Claim(s) \_\_\_\_\_ are subject to restriction or election requirement

## Application Papers

The proposed drawing correction, filed on \_\_\_\_\_ is  approved  disapproved.

The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner

The specification is objected to by the Examiner.

The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119 (a)-(d)

Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119 (a)-(d).

All  Some\*  None of the:

Certified copies of the priority documents have been received.

Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

Copies of the certified copies of the priority documents have been received

in this national stage application from the International Bureau (PCT Rule 17.2(a))

\*Certified copies not received: \_\_\_\_\_.

## Attachment(s)

Information Disclosure Statement(s), PTO-1449, Paper No(s). \_\_\_\_\_

Interview Summary, PTO-413

Notice of Reference(s) Cited, PTO-892

Notice of Informal Patent Application, PTO-152

Notice of Draftsperson's Patent Drawing Review, PTO-948

Other \_\_\_\_\_

## Office Action Summary

*Election/Restrictions*

Applicant's election of Species I in Paper No. 4 is acknowledged. Because applicant did not distinctly and specifically point out the supposed errors in the restriction requirement, the election has been treated as an election without traverse (MPEP § 818.03(a)).

*Drawings*

The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the amplifier structure with a gate (claim 10) and the dual amplifier embodiment that combines the amplifier structure with a gate and an amplifier structure with a base (claim 11) must be shown or the feature(s) canceled from the claim(s). No new matter should be entered. Note that claim 11 is dependent upon claim 10.

A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

*Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claim 1, 2, 3, 6, 7 and 9 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Miguelez et al. 6,107,877 (Miguelez).

Figures 6 and 7 of Miguelez discloses a predistortion circuit 100 having an input terminal (Either of the nodes of the capacitor 102) for inputting a predetermined signal 101, a non-linear device i.e. diode 109 directly or indirectly connected to the input terminal, a bias supply circuit (See Figure 7) that applies a voltage to the non-linear device (Also see column 9, lines 17 and 18) and a "specific" frequency suppressing means i.e. capacitor 111 connected to one side or both sides of the non-linear device 109 directly without another intervening device and of suppressing all or part of such frequencies that are from a frequency corresponding to DC to a frequency corresponding to an occupied bandwidth of an input signal inputted to the input terminal and/or suppressing at least one higher harmonic frequency of a carrier wave of the input signal. Figure 6 of Miguelez also clearly shows an output terminal that is either of the nodes of the capacitor 113. Figure 6 of Miguelez clearly shows the non-linear device provided between the connection point between the input terminal and the output terminal, and ground. Note the

Art Unit: 2817

abstract of Miguelez that clearly recites connecting this preamplifier to an RF amplifier that is a "power amplifier".

*Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 10 and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Miguelez et al. 6,107,877 (Miguelez) in view of Yun et al. 5,914,641 (Yun) and Fukuden 5,805,023 (Fukuden).

Figures 6 and 7 of Miguelez discloses a predistortion circuit 100 having an input terminal (Either of the nodes of the capacitor 102) for inputting a predetermined signal 101, a non-linear device i.e. diode 109 directly or indirectly connected to the input terminal, a bias supply circuit (See Figure 7) that applies a voltage to the non-linear device (Also see column 9, lines 17 and 18) and a "specific" frequency suppressing means i.e. capacitor 111 connected to one side or both sides of the non-linear device 109 directly without another intervening device and of suppressing all or part of such frequencies that are from a frequency corresponding to DC to a frequency corresponding to an occupied bandwidth of an input signal inputted to the input terminal and/or suppressing at least one higher harmonic frequency of a carrier wave of the input signal. Figure 6 of Miguelez also clearly shows an output terminal that is either of the nodes of the capacitor 113. Figure 6 of Miguelez clearly shows the non-linear device provided between the connection point between the input terminal and the output terminal, and ground. Note the abstract of Miguelez that clearly recites connecting this preamplifier to an RF amplifier that is a "power amplifier".

Figure 12 of the Fukuden reference discloses the same amplifier circuit as claimed except that the bias networks are not shown. Note that elements like 21, 21', 22, 22' of Fukuken meet the claimed limitations to the frequency suppressing means like that shown as elements 1307 and 1309 in the disclosed invention. The amplifier structure of Fukuden is a conventional art recognized equivalent amplifier structure. Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to have added the amplifier of Fukuden for the amplifier of Miguelez because, as the

Miguel is silent on the exact structure of the amplifier, any art recognized equivalent amplifier circuit would have been useable therewith such as the conventional amplifier of Fukuden.

Yun discloses the conventional use of bias(supply) means VDD and VGG to supply the necessary biases to properly bias the transistor to the active region and accordingly to operate the transistor in the proper operation class.

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the conventional bias supply means like that of Yun in Miguel in combination with Fukuden so as to properly bias the transistor to the active region and accordingly to operate the transistor in the proper operation class as taught by Yun.

For examining purposes the amplifier of claim 11 is seen as being a single amplifier combined with the predistorter circuit instead of the two amplifier arrangement as claimed. In this case the Fukuden reference discloses the same amplifier circuit as claimed except that the bias networks are not shown and the amplifying element is shown as a MOS device instead of a bipolar device. Note that elements like 21, 21', 22, 22' of Fukuden meet the claimed limitations to the frequency suppressing means like that shown as elements 1307 and 1309 in the disclosed invention. The amplifier structure of Fukuden is a conventional art recognized equivalent amplifier structure. Accordingly, it would have been obvious to one of ordinary skill in the art at the time of the invention to have added the amplifier of Fukuden for the amplifier of Miguel because, as the Miguel is silent on the exact structure of the amplifier, any art recognized equivalent amplifier circuit would have been useable therewith such as the conventional amplifier of Fukuden.

Yun discloses the conventional use of bias(supply) means VDD and VGG to supply the necessary biases to properly bias the transistor to the active region and accordingly to operate the transistor in the proper operation class.

Thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the conventional bias supply means like that of Yun in Miguel in combination with Fukuden so as to properly bias the transistor to the active region and accordingly to operate the transistor in the proper operation class as taught by Yun.

As to the use of a bipolar as compared to a MOS such transistors are well known to be art recognized equivalents and accordingly the substitution of one for the other would have been obvious to one of ordinary skill in the art at the time the invention was made.

*Conclusion*

Art Unit: 2817

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Taguchi et al. and Moon-suk et al. disclose the general state of the art.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael B. Shingleton whose telephone number is 703-308-4903. The examiner can normally be reached on Mon-Thurs from 8:30 to 4:30. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pascal, can be reached on (703) 308-4909. The fax phone number for the organization where this application or proceeding is assigned is 703-308-7722.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-308-0956.

MBS  
October 31, 2002

  
MICHAEL B. SHINGLETON  
PRIMARY ART EXAMINER  
ERCONIP, ET AL.